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Action against gender-related killing of women and girls

Report of the Secretary-General

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I. Introduction

1. The present report has been prepared pursuant to General Assembly resolution 68/191 on taking action against gender-related killing of women and girls. It provides information on measures taken by a number of Member States to prevent such killing, to protect and support victims, to improve criminal justice responses and to enhance data collection and analysis. The examples provided were selected to illustrate different types of measures. The report also highlights activities by relevant United Nations entities in support of these efforts, including technical assistance and advocacy. The report draws on contributions by relevant United Nations entities, recent country-specific reports by the Special Rapporteur on violence against women, its causes and consequences, and information collected by the United Nations Office on Drugs and Crime (UNODC) from Member States and other stakeholders for the preparation of the open-ended intergovernmental expert group on gender-related killing of women and girls, held in Bangkok from 11 to 13 November 2014.[1]

2. The concept of gender-related killing is generally understood to refer to the intentional murder of women and girls because of their gender. In her report of 2012, the Special Rapporteur on violence against women, its causes and consequences identified such killing as the extreme manifestation of violence against women, often representing the final event of an extended and ignored continuum of violence.[2] She distinguished active or direct forms of gender-related killing from passive or indirect forms. Direct forms include killing as a result of intimate partner violence, sorcery/witchcraft-related killing, honour-related killing, armed conflict-related killing, dowry-related killing, gender identity- and sexual orientation-related killing, and ethnic- and indigenous identity-related killing. Indirect forms encompass deaths due to poorly conducted or clandestine abortions, maternal mortality, deaths from harmful practices, deaths linked to human trafficking, drug dealing, organized crime- and gang-related activities, the death of girls or women from simple neglect, through starvation or ill-treatment, and deliberate acts or omissions by the State.[3]

II. Action by Member States

A. Preventive measures

3. Gender-related killing of women and girls is often the ultimate step in a continuum of violence that has progressively escalated. To effectively prevent gender-related killing, comprehensive approaches are therefore required that also

[1] Background paper prepared by the Secretariat on gender-related killing of women and girls: promising practices, challenges and practical recommendations (UNODC/CCPCJ/EG.8/2014/2) and conference room papers on national measures taken to prevent, investigate, prosecute and punish gender-related killing of women and girls (UNODC/CCPCJ/EG.8/2014/CRP.1), information on gender-related killing of women and girls provided by civil society organizations and academia (UNODC/CCPCJ/EG.8/2014/CRP.2) and criminalization of gender-related killing of women and girls (UNODC/CCPCJ/EG.8/2014/CRP.3).

[2] A/HRC/20/16, para. 15.

[3] Ibid., para. 16.

target related forms of violence against women and girls. Preventing violence can range from stopping violence from reoccurring to stopping it from happening in the first place, and effective interventions vary accordingly. The criminalization of and timely responses to forms of violence that precede the killing can also have a preventive impact. Relevant measures adopted by States include reforms of legislative, policy and institutional frameworks, programmes to raise awareness and broader educational initiatives to address gender inequality as the basis of violence against women.

4. Many countries have adopted integrated legal and policy frameworks or have reformed criminal and other areas of law to address violence against women. However, existing laws are often limited to certain types of violence and do not cover discrimination or other forms and circumstances of violence connected with gender-related killing. Further challenges include a disconnect between different areas of law dealing with various forms of violence in an isolated way and a lack of human and financial resources for national strategies, plans or programmes.[4]

5. Several States developed policy frameworks, strategies and action plans on violence against women at the national and local level. For example, in Germany, the Second Action Plan of the Federal Government to Combat Violence against Women encompasses over 130 measures and programmes, implemented in cooperation between State institutions and non-governmental support services. In Spain, the National Strategy for the Eradication of Violence Against Women (2013-2016) provides specific measures to prevent and address different forms of violence. In the United Kingdom of Great Britain and Northern Ireland, relevant measures were taken on the basis of the strategy entitled "Call to end violence against women and girls", which applies to England and is accompanied by an annual action plan.

6. Some Member States established laws, policies and programmes to address specific forms of gender-based violence. Relevant examples include the Belgian national action plan to combat intimate partner violence and other forms of domestic violence such as honour-related violence and female genital mutilation, the Family Violence Act (Law 20.666) of Chile, the National Programme on the Prevention of Family Violence of Slovenia and Turkey's National Action Plan on Combating Domestic Violence, which aims at fostering improvements in the area of legislation. The Government of India is considering recommendations by the Law Commission of India, which issued a suggested legal framework in 2012 to prevent interference with freedom of matrimonial alliance in the name of honour and tradition. In Papua New Guinea, sorcery-related killings are treated as homicides and dealt with through the Criminal Code, while the Sorcery Act is reportedly rarely used and was found to be ineffective by the Constitutional and Law Reform Commission, which recommended that it be repealed.

7. Competent and qualified institutions and strong coordination mechanisms are of crucial importance in preventing gender-related killing of women and girls. In several Member States, the police play a specific role in prevention, including situational prevention, such as patrols, supervising and monitoring, as well as involvement in social prevention. In some States, the police has specialized expertise on prevention, assistance and protection of women victims of violence or

[4] See UNODC/CCPCJ/EG.8/2014/2, pp. 10 and 11.

participates in the training of young leaders, in awareness-raising campaigns and in forming coalitions with national and local stakeholders.

8. Many States organized public awareness-raising and education campaigns with respect to gender-sensitive policy frameworks. In Bangladesh, the National Human Rights Commission and the Ministry of Information's Press Institute launched awareness-raising campaigns, published different materials and provided a wide range of training to various institutions, State agencies, the media and the general population. Belgium disseminated information and carried out awareness-raising measures to overcome gender stereotypes, while in Chile the national service for women implemented public and institutional education and awareness-raising programmes. Ecuador launched the campaign "No estás sola. ¡Denuncia!", which included the organization of an academic forum on a human rights-based approach to gender equality and an event to provide information on free legal advice and psychosocial care. Italy and Spain developed specific initiatives to prevent violence against women through information and awareness-raising campaigns for the public and in the workplace. In the United Kingdom, the national prevention campaign "This is abuse" was launched to encourage teenagers to rethink their views about rape, consent and abuse.

9. Some States launched broader initiatives aiming at eliminating gender inequality, gender-based discrimination and other root causes of violence against women. For example, Angola reported on actions taken to support and guarantee equal treatment to women employees and to increase female employment in management positions. Japan implemented practical actions and concrete policy measures under its Third Basic Plan for Gender Equality, and Jordan took measures to enhance partnerships and coordination between governmental and non-governmental institutions working in the area of family affairs.

B. Victim issues

10. In accordance with applicable national and international law, States have the duty to provide legal protection, appropriate remedies, reparation and compensation to victims of gender-related killing and other forms of violence against women. In view of the link between protracted violence and gender-related killing, it is crucial to provide adequate protection, support and assistance to victims as early as possible in order to avoid further degeneration of violence suffered. In line with the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power,[5] adopted by the General Assembly in 1985, the definition of the term "victims" should also include members of the immediate family or dependents of the direct victim who require protection, assistance and support, reparation and compensation, especially in cases of gender-related killing of women and girls.

11. Member States provide different levels and types of essential services to assist, support and protect victims of violence against women and girls. For example, Angola adopted measures aimed at re-establishing the victim's emotional balance and at ensuring individual and social welfare. Chile established centres providing to victims free psychological, social and legal assistance, as well as rehabilitative

[5] General Assembly resolution 40/34, annex.

programmes. Mexico implemented a project to establish and improve shelters for women victims of violence throughout the country, and Turkey established violence prevention and monitoring centres throughout the country, providing support and protection services.

12. In a number of countries, the protection of women from violence was made a priority for the police and other relevant agencies. One example is the policy of the Royal Canadian Mounted Police on violence in relationships which requires swift police intervention to protect victims. In Spain, instruments were put in place to promote inter-agency collaboration on the protection of victims from gender-based violence, including a cooperation protocol between the local and the national police forces to protect victims more effectively.

13. A number of initiatives to support and assist victims make use of electronic technologies. Germany, for example, launched a toll-free multilingual nationwide telephone hotline offering counselling and advice on all forms of violence against women, while Chile and Turkey developed and implemented programmes based on security button systems ("panic buttons"), which send emergency signals to the nearest police unit, including location data.

14. Some countries adopted measures to meet the rights and needs of family members, dependents or other indirect victims of gender-related killing of women and girls. Spain, for example, is implementing a project on reparation for victims and the attenuation of traumatic effect of violence suffered, which guarantees protection to indirect victims such as children, members of the immediate family and dependents of the victim. In the United Kingdom, bereaved families are entitled to enhanced services from criminal justice agencies, and close relatives of a victim of serious crime are also entitled to make a victim personal statement to the police at any time prior to a convicted offender being sentenced.

15. Some countries have established programmes to protect women from specific forms of violence, including trafficking in persons or female genital mutilation. This is of particular relevance in view of the consideration, as explained by the Special Rapporteur on violence against women, its causes and consequences, that gender-related killing of women and girls includes passive and indirect forms of killing, such as deaths from harmful practices or deaths linked to human trafficking, drug dealing, organized crime and gang-related activities.[6] In Australia, for example, a victim support programme provides individualized case management support and visa arrangements so that suspected victims and witnesses of human trafficking and slavery can remain in the country and support the investigation and prosecution of offences. Chile established a temporary residential accommodation where health services, counselling and psychological care are provided to victims of human trafficking and sexual exploitation. Belgium has adopted a holistic approach to addressing female genital mutilation, in cooperation with civil society organizations, with particular attention to prevention and comprehensive care for victims. In Bangladesh, the Acid Control Act prescribes the provision of treatment and legal aid, as well as the establishment of a rehabilitation centre, for the victims of acid attacks.[7]

[6] A/HRC/20/16, para. 16.

[7] A/HRC/26/38/Add.2, para. 69.

C. Criminal justice responses

16. Criminal justice responses to gender-related killing of women and girls require not only adequate criminal legislation but also adequate capacity to investigate and prosecute this crime in order to hold perpetrators accountable and end impunity. Member States have taken a variety of measures to reform their criminal law and criminal procedures, establish special units within criminal justice institutions, build the capacity of criminal justice officials and enhance inter-agency coordination and cooperation with other relevant actors.

17. A number of States have criminalized gender-related killing of women and girls. Some have done so by creating specific criminal offences dealing with different forms of gender-related killing. Others have included gender-related aggravating circumstances in existing definitions of aggravated homicide or as general aggravating circumstances of crime. In some States, the killing of the victim is considered an aggravating circumstance in offences concerning gender-based violence. The common feature of these different ways to criminalize the gender-related killing of women and girls is that the penalties are higher than those provided for simple forms of homicide.[8] Many countries, however, continue to use existing gender-neutral criminal law provisions on homicide and apply them equally to men and women.

18. Several Latin American countries have recently introduced in their penal codes the specific criminal offence of "femicide" or "feminicide". Although the elements of the criminal offences vary widely, most of the provisions envisage a number of factual circumstances in addition to the act of killing or causing the death of a woman. In many countries, this includes the existence of a relationship between the victim and the perpetrator, which may range from marriage and de facto partnership to family relations, or relationships of subordination, dependence or superiority, including in the context of employment or education. Relevant circumstances also concern previous acts of violence committed by the perpetrator against the victim before the killing or the particularly cruel or violent way the killing occurred and whether it was accompanied by related acts, such as mutilation or necrophilia. Other circumstances focus on the victim and deal with her physical or psychological vulnerability, age or pregnancy, or relate to other factors, such as the presence of the children or other family members during the crime.[9]

19. Criminal law provisions on gender-related killing are not limited to Latin America. In many jurisdictions in different regions, gender-related elements may be found in the definition of aggravated homicide or among general aggravating circumstances that apply not only to homicide but also to other offences. Such elements relate to the relationship between victim and perpetrator, to previous violence by the perpetrator, to the killing and related acts or to the victim. Although such provisions contain elements that are also found in the specific offences concerning gender-related killing of women and girls, most of these provisions are less comprehensive than the specific offences and are not woman-specific.[10] In some jurisdictions, gender-related killing is addressed through specific offences

[8] UNODC/CCPCJ/EG.8/2014/CRP.3, para. 51.

[9] Ibid., paras. 8-13.

[10] Ibid., paras. 23-30.

concerning gender-based or family violence, in which causing the death of the victim is an aggravating factor. These provisions differ from other ways of criminalizing gender-related killing of women and girls, because their scope is limited to specific forms of violence that can lead to killing and they primarily protect physical and sexual integrity and not the life of women and girls.

20. Several promising practices can be identified with regard to the criminal procedure. In many countries, violence in the family or against a partner is considered a public offence that does not require the complaint of the victim. In others, prosecuting authorities are required to continue criminal proceedings despite the victim's withdrawal of the complaint in cases of domestic violence. In a third group of countries, the prosecutor retains a margin of discretion in deciding whether to pursue criminal proceedings in cases of domestic violence. Some legal systems provide the police with special powers in cases of domestic violence, such as the permission to enter the home without a warrant, to temporarily ban the offender from the home or to arrest the suspect to protect the victims and/or to prevent future assault. In other instances, judges can also issue urgent court decisions ex parte on probable cause within a day.[11] With regard to pretrial detention, some countries have even introduced a presumption of dangerousness in cases of alleged sex offenders or of violence perpetrated in gang-related activities, which is aimed at promoting victim safety but requires adequate safeguards to ensure that pretrial detention remains a measure of last resort in line with the principle of minimum intervention.[12]

21. Prosecutors and judges may play a fundamental role in extending criminal law provisions that do not yet cover all forms of violence that may result in gender-related killing of women and girls. For example, although marital rape is not criminalized in the Solomon Islands, a case of marital rape was prosecuted on the basis of a broader interpretation of the legal definition of rape in the Criminal Code.[13]

22. Specialized capacity is a crucial element for the effective criminal justice responses to violence against women and girls, including gender-related killing. Several States established special units within the police with expertise on gender-based violence in its different manifestations. In some countries, specialized expertise is also available within the prosecution service or even in the judiciary. Relevant examples include the police hate crimes units established in Canada and the provincial domestic violence police units in Italy. In Sweden, local public prosecution offices include specialists on violence in close relationships, while in Jordan, a specialized judicial body was established within the High Criminal Court to consider cases of violence allegedly involving honour.

23. Several countries provide specific training to police and prosecutors to build their capacity to respond to violent offences that may include or lead to gender-related killing. Slovenia implemented a country-wide training project for police officers and criminal investigators to enhance the quality of their responses to family violence and to raise public awareness of the police procedure in cases of

[11] See UNODC/CCPCJ/EG.8/2014/2, para. 37.

[12] See the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules) (General Assembly resolution 45/110, annex), rule 2.6.

[13] See A/HRC/23/49/Add.1, para. 73.

family violence. In Sweden, prosecutors receive training on how to deal with offences that occur within intimate relationships, honour-related violence and offences against children.

24. Another key factor in ensuring effective criminal justice responses to gender-related killing of women and girls is coordination between criminal justice agencies and cooperation with other governmental and non-governmental stakeholders. In Peru, an intersectoral body was established within the framework of the National Programme against Family Violence and Sexual Abuse and developed inter-agency arrangements to provide better care in cases of feminicide. In Spain, law enforcement bodies and judicial organs concluded a protocol on coordination in the area of violence against women. In Canada, a number of police authorities developed good practices relating to information-sharing, file management, file coordination and disclosure in cases of unresolved homicides and missing persons, with those good practices being shared with other investigative units or replicated in other parts of the country.

D. Data collection and analysis

25. Collection, analysis and sharing of relevant data is crucial for effective and coordinated measures to prevent, investigate and prosecute gender-related killing of women. In order to accomplish these goals, "detailed data are required to gauge the magnitude and dimensions of the problem, to establish baselines, to identify groups at high risk, to focus intervention and prevention efforts where they are needed most, to monitor change over time, to assess the effectiveness of interventions and to address the harm to victims of violence".[14] In this regard, the comparability and availability of precise statistics is key to defining the spectrum of gender-related killing in its different manifestations, causes and consequences.

26. Data and information on gender-related killing of women are available in a number of countries, predominantly drawn from administrative records of law enforcement and judicial sources. Some countries have also used population-based sources of information such as victimization, demographic and health surveys to estimate women's exposure to partner and non-partner violence. However, victimization surveys and other population-based sources, because of their nature, do not lend themselves to the collection of information on homicides. Even data from administrative records are limited, since these records often do not distinguish between the various motivations and circumstances of the crime and do not indicate specific categories and contexts of intentional killings. Further challenges include underreporting and insufficient use of other data sources such as medical reports, as well as a lack of comparability and other difficulties arising from differences in methodologies, discrepancies in the definition of the concept of gender-related killing and ineffective coordination among responsible agencies.[15]

27. Available statistics show how domestic and intimate partner/family-related killings are the largest cause of female homicides. In 2012, almost half of all female victims of murder worldwide (47 per cent, or 43,600 women) were killed by a

[14] United Nations, *Guidelines for Producing Statistics on Violence Against Women: Statistical Surveys* (United Nations publication, Sales No. E.13.XVII.7).

[15] See UNODC/CCPCJ/EG.8/2014/2, para. 24.

family member or intimate partner, compared to 6 per cent (20,000) of male homicide victims.[16] This trend is also reflected at the national level. For example, data collected in Canada for 2012 indicated that 63 per cent of the victims killed by a family member and 83 per cent of those killed by an intimate partner were female.[17] In Italy, the percentage of women murdered increased between 2011 and 2013, despite a drop in the total number of homicides in the same period, and most violent acts against women took place in the framework of family/emotional relationships.[18] In Peru, 609 women had been victims of the offence of "feminicide" between 2009 and 2013, of which 74.9 per cent were killed by a current or a former intimate partner and 13.5 per cent by a family member.[19] In Honduras, 629 cases of "femicide" were registered in 2013 alone.[20]

28. Some States collect disaggregated data that may shed light on specific forms of gender-related killing. In Canada, the homicide rate of aboriginal females was almost seven times higher than that for non-Aboriginal victims. In Denmark and other countries, data are collected on cases of honour-related killing. Dowry-related murders continue to be a widespread practice in some South-Asian countries. For example, over 8,000 such cases were reported in India every year in the period 2008-2012. In Honduras, deaths linked to drug trafficking and gang-related activities are widespread, as it is reported that 60 per cent of registered cases of femicide are linked to organized crime, in the context of which women and girls are often killed in acts of vengeance between gangs, and victim's bodies reveal acts of mutilation and torture.[21]

III. Action by relevant entities of the United Nations system

29. Following the adoption of General Assembly resolution 68/191, several entities of the United Nations system joined forces to promote international action against gender-related killing of women and girls. UNODC, in consultation with the Special Rapporteur on violence against women, its causes and consequences, the Office of the United Nations High Commissioner for Human Rights, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the United Nations Population Fund (UNFPA), convened the meeting of the open-ended intergovernmental expert group on gender-related killing of women and girls held in Bangkok on 11-13 November 2014. The meeting was attended by experts from 31 Member States, as well as observers from the State of Palestine, the Office of the United Nations High Commissioner for Human Rights, UN-Women, UNFPA, the Academic Council on the United Nations System, the Academy of Criminal Justice Sciences, the College for Criminal Law Science of Beijing Normal University, the International Centre for Criminal Law Reform and Criminal Justice Policy, the International Council of Women, the Organization of American States, Soroptimist International and the World Society of Victimology.

[16] See UNODC, *Global Study on Homicide, 2013: Trends, Contexts, Data* (United Nations publication, Sales No. 14.IV.1) pp. 49-56.

[17] See UNODC/CCPCJ/EG.8/2014/CRP.1, para 46.

[18] Ibid., para. 50.

[19] Ibid., para. 52.

[20] A/HRC/29/27/Add.1, para. 14.

[21] A/HRC/29/27/Add.1, paras. 14-16.

30. The meeting discussed promising practices and made a number of practical recommendations on ways and means to more effectively prevent, investigate, prosecute and punish gender-related killing of women and girls, which were considered by the Commission on Crime Prevention and Criminal Justice at its twenty-fourth session held in May 2015. The discussion and conclusions of the meeting focused on data collection and analysis, prevention, investigation, prosecution and sanctions, as well as on victim issues. The meeting recognized that gender-related killing of women and girls often represented the final event of a continuum of violence, given the high level of impunity and lack of accountability in such cases. Participants stressed the importance of adopting and implementing relevant laws, policies, procedures and practices at all levels, in line with international human rights law and making use of international standards and norms in crime prevention and criminal justice. Close cooperation with civil society and the engagement of stakeholders such as religious leaders, women's organizations, community leaders, human rights defenders, businesses and sports teams were mentioned as important elements of promising, innovative initiatives to prevent gender-related killing of women and girls.

31. At its twenty-fourth session (18-22 May 2015), the Commission on Crime Prevention and Criminal Justice recommended a draft resolution entitled "Taking action against gender-related killing of women and girls" for adoption by the General Assembly at its seventieth session. In the draft resolution the General Assembly is to take note with appreciation of the recommendations of the open-ended intergovernmental expert group meeting on gender-related killing of women and girls, and to call for further action by Member States and the United Nations system to prevent and address such killing and related forms of violence. Furthermore, UNODC and other relevant United Nations entities and agencies are encouraged to continue raising awareness and providing support to Member States, including with regard to collecting, disaggregating, analysing and reporting data on gender-related killing of women and girls. In particular, UNODC is requested to prepare, in collaboration with Member States, an analytical study on gender-related killing of women and girls at the global level, containing disaggregated data, including from relevant stakeholders, on this phenomenon to illustrate its different forms and patterns.

32. In addition to its activities aimed at strengthening and improving the crime prevention and criminal justice response of countries to violence against women and girls, UNODC supports international efforts to improve the accuracy, consistency and comparability of statistics on crime and the criminal justice system. A key achievement with relevance to gender-related killing is the newly developed International Classification of Crime for Statistical Purposes (ICCS), which provides a common classification framework for crime data from administrative sources and victimization surveys and an analytical framework at the country level. Based on a behavioural description of crime types, it provides a common framework of definitions to compare statistical data from different criminal justice institutions and jurisdictions and may facilitate the harmonization of data collection and dissemination at the national and international levels. ICCS covers "femicide" as a form of intentional homicide, but it also allows for additional disaggregation in order to provide information on specific forms of gender-related killing. That disaggregation includes gender-based motives and other event-related factors, as well as the situational context of intentional homicide, including its occurrence in

the context of the family or an intimate partnership or as a result of violence specifically targeting women because of their gender.

33. The Special Rapporteur on violence against women, its causes and consequences addressed the issue of gender-related killing of women and girls in her country missions and a number of specific activities. In October 2011, she convened in New York an expert group meeting on this subject, which brought together 25 experts from academia, civil society organizations and United Nations agencies and bodies with technical and practical expertise on and experience in working on violence against women.[22] The outcome of that meeting informed her 2012 thematic report,[23] which examined different forms of gender-related killing of women, whether they occur in the family or the community or are perpetrated or condoned by the State. The report highlighted how the prevalence of different manifestations of such killing is increasing and argued that such killings are not isolated incidents which arise suddenly and unexpectedly, but are the ultimate act of violence against women which is experienced in a continuum of violence. The report provided an overview of the global trends and manifestations of gender-related killings of women and argued that those manifestations are culturally and socially embedded and continue to be accepted, tolerated or justified, with impunity as the norm. It underlined States' responsibility to act with due diligence in the promotion and protection of women's rights and made a number of recommendations to address existing gaps in States' responses to gender-related killing of women and girls.

34. At the regional level, UN-Women, in cooperation with the Office of the United Nations High Commissioner for Human Rights, developed the Latin American model protocol for the investigation of gender-related killings of women.[24] This comprehensive and interdisciplinary tool provides practical guidelines for the judiciary, prosecutors, police and forensic institutions concerning investigation and prosecution of violent deaths of women. Technical assistance to support the adaptation and implementation of the protocol at the national level is provided by UN-Women and other United Nations entities in several Latin American countries.

35. The Office of the United Nations High Commissioner for Human Rights and UN-Women have conducted several advocacy and awareness-raising activities to disseminate and promote the use of the Latin American model protocol for the investigation of gender-related killings of women. In addition to national events and meetings with key stakeholders in Colombia and Panama, the model protocol was presented to and welcomed by a number of regional bodies, including the Conference of States Parties to the inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, the General Assembly of the Ibero-American Association of Public Prosecutors, the Central American Integration System and the Council of Ministers of Women's Affairs of Central America. The Human Rights Council recognized the model protocol as a good and promising practice and the intergovernmental expert group on gender-related killing

[22] A/HRC/20/16/Add.4.

[23] A/HRC/20/16.

[24] Available at www.unodc.org/documents/justice-and-prison-reform/Expert-group-meeting-Bangkok/ProtocoloLatinoamericanoDeInvestigacion.pdf.

of women and girls concluded that the model protocol could be considered as a model for action at the national and international levels.

36. In Brazil and Colombia, UN-Women provided legislative assistance to ensure an adequate legal basis for action against gender-related killing of women and girls. In Brazil, UN-Women organized a series of workshops aimed at sharing knowledge, concepts and visions regarding "femicide".

37. In Mexico, UN-Women carried out an analysis of penal codes and civil laws with a view to identifying elements that discriminate against women and supporting decision-makers in addressing all forms of violence against women, including gender-related killing. UN-Women conducted a number of studies with current data on femicide in the country and prepared a protocol on how to investigate the crime of homicide with a gender perspective. UNODC complemented those efforts by working with police in order to strengthen investigation processes in cases of "feminicide" and improving investigation protocols, based on a gender perspective. In the states of Durango and Coahuila, UNODC supported the development of gender-disaggregated criminal justice data and started supporting the State of Mexico in analysing the causes of femicide.

38. Efforts to raise awareness concerning different forms of gender-related killing continued in other regions. In Papua New Guinea, the Office of the United Nations High Commissioner for Human Rights participated in awareness-raising events on violence against women and provided technical assistance to the Government to end killings of individuals accused of sorcery and witchcraft, providing, in collaboration with Oxfam and the Ombudsman Commission, human rights trainings to local government officials. The United Nations Assistance Mission in Afghanistan supported outreach activities across that country, hosting debates, radio programmes and workshops, raising awareness of the urgent need to address violence against women and girls.

39. UNFPA conducted advocacy campaigns in several countries and at the global level to highlight the rising incidence of sex selection that may lead to gender-related killing of girls before they are born. UNFPA worked on the issue of sex selection and birth controls, fostering gender discrimination-free policies and strategies. Technical assistance and cooperation was provided in that regard to governments and local institutions in India, Nepal, Viet Nam and China to support the implementation of legislations and programmes aimed at adopting long-term measures to enhance gender equality.

40. Particular forms of gender-related killing occur in conflict and post-conflict countries, where United Nations peace operations supported efforts to hold perpetrators accountable. Technical support and advice have been provided to help establish and operationalize a special court for the prosecution of sexual and gender-based violence in Liberia and to assist the transitional authorities in the Central African Republic in establishing a special criminal court to address the most serious crimes, including sexual and gender-based violence. In the Democratic Republic of Congo, Legal staff of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo is deployed in prosecution support cells, which support the military justice authorities in the prosecution of war crimes, crimes against humanity and other violent crimes. In 2013, 234 judgements were rendered with their support, 85 of which were related to sexual violence.

IV. Conclusions and recommendations

41. Drawing on the conclusions and recommendations endorsed by the open-ended intergovernmental expert group on gender-related killing of women and girls held in Bangkok in November 2014, the General Assembly may wish to consider the following practical measures, for action by Member States to more effectively prevent, investigate, prosecute and punish gender-related killing of women and girls:

(a) Consider ways to enhance international cooperation in these cases, including by ratifying and implementing the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol, the Convention on the Rights of the Child and the Protocols thereto, the Rome Statute of the International Criminal Court, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belém do Pará) and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) and their follow-up mechanisms;

(b) Consider translating and disseminating the Latin American model protocol for the investigation of gender-related killings of women, to be used as a model for regional and country-level adaptation, and training justice officials on its contents and use, in collaboration with relevant entities of the United Nations system;

(c) Review, evaluate and update national laws to effectively address gender-related killing of women, including, where appropriate, by providing for specific offences or aggravating circumstances and by reviewing legislation to ensure that it does not include discriminating factors — "passion", "violent emotion", "honour" or "provocation" — that allow perpetrators to escape criminal responsibility;

(d) Strengthen the capacity of criminal justice institutions to prevent, investigate, prosecute, punish and remedy gender-related killing of women, including by:

(i) Assessing the effectiveness of laws;

(ii) Implementing training programmes and awareness campaigns;

(iii) Identifying gender stereotypes and discrimination within institutions, providing adequate sanctions for discrimination, sexual misconduct and other misconduct, and ensuring that measures are taken to address them;

(iv) Promoting the recruitment, employment and appropriate working conditions of women in the legal and law enforcement professions, especially at the decision-making level;

(e) Promote and enhance coordination, at all levels of government, between institutions mandated to prevent, investigate, prosecute, punish and remedy gender-related killing of women, as well as coordination with other relevant sectors,

including civil society and the education, health, social services and security sectors;

(f) Provide sufficient human, technical and financial resources for the implementation of laws, policies, procedures and practices to prevent and respond to gender-related killing of women, including by adopting gender-sensitive budget policies, as well as monitoring and accountability procedures;

(g) Monitor the implementation of laws, policies, procedures and practices and gender-sensitive budget policies to prevent and respond to gender-related killing of women, and evaluate their effectiveness and impact, including from a gender perspective, through transparent, participatory and inclusive processes;

(h) Continue and enhance international cooperation and technical assistance to address capacity gaps and the exchange of information on the implementation of promising practices to prevent and address gender-related killing of women, with the support of relevant United Nations entities and competent regional institutions and civil society, including academic and research institutions.

Data collection and analysis

(i) Identify elements that could be used at the national and international levels to characterize and classify forms of gender-related killing of women, in particular for statistical purposes;

(j) Strengthen the collection, analysis and dissemination of qualitative and quantitative data on gender-related killing of women and other forms of violence against women, focusing on factors such as age, racial and ethnic origin, criminal history of perpetrators, the relationship between the victim and the perpetrator, modus operandi, context and motive, taking special care to include reports on violence in rural and marginalized areas and the situation of specific groups of women and victims;

(k) Collect and analyse data in an integrated manner to consider the links between gender-related killing and different forms of violence against women, such as human trafficking or harmful practices;

(l) Collect and analyse data on indirect forms of gender-related killing of women, such as deaths due to poorly conducted and clandestine abortions; maternal mortality; deaths from harmful practices; deaths linked to human trafficking, drug dealing, organized crime and gang-related activities; the death of girls from simple neglect, through starvation or ill-treatment; and deliberate acts of omission by the State;

(m) Collect and publish official data and information regularly and transparently, in a format that responds to the needs of a variety of audiences, while respecting confidentiality and preserving the safety and privacy of the victims; and consider the provision of technical assistance in this regard as a matter of priority;

(n) Analyse data from a gender perspective, involving, to the extent possible, relevant government agencies, civil society, academia, victims' representatives and the international community;

(o) Provide adequate human and financial resources for the collection, analysis and dissemination of data on gender-related killing of women;

(p) Provide regular and institutionalized training to relevant personnel on technical and ethical aspects of the collection, analysis and dissemination of data on gender-related killing of women.

Prevention

(q) Promote changes in social norms and attitudes harmful to women through early and continuous educational programmes and awareness-raising and by conducting or encouraging work with schools and local communities;

(r) Encourage news media to adopt codes of ethics regarding gender-sensitive reporting on violence against women cases, to ensure that victims' dignity and privacy is respected and to avoid the dissemination of harmful and degrading gender stereotypes, as well as to promote gender equality and non-discrimination;

(s) Adopt legislation, policies and measures to prevent lethal risks to women victims of violence and to protect victims and witnesses, including simple, quick and accessible protection and restraining or barring orders, adequate and targeted risk assessment and management strategies, and confidential 24/7 hotlines, shelters or other measures to facilitate access to safety, assistance and support; such protective measures should not be dependent on the initiation of a criminal case;

(t) Promote women's safety audits in order to create a safer urban environment, for example, improved street and underpass lighting and more frequent police patrols in areas prone to molestation of women;

(u) Promote strategies and measures by relevant authorities and civil society to encourage the reporting and early detection of violence that may result in gender-related killing of women;

(v) Regulate the possession, use and storage of firearms by violent offenders, including by providing for ownership and possession restrictions, in particular where violence against women has been reported, and carry out awareness-raising campaigns on the risks of exposure to firearms in domestic disputes;

(w) Review, evaluate and update criminal and civil laws in order to ensure that all forms of violence against women are penalized and prohibited and, if not, to adopt measures to do so, in order to prevent such violence from escalating into gender-related killing of women;

(x) Promote and facilitate coordination among government agencies and courts responsible for different areas of law, such as family law, civil law, criminal law and immigration law, in order to coherently prevent and address violence that could lead to gender-related killing of women;

(y) Promote the rehabilitation and re-education of perpetrators, including by developing and evaluating treatment and reintegration, rehabilitation and education programmes that prioritize the safety of the victims;

(z) Ensure the provision of adequate human and financial resources for the prevention of gender-related killing of women and for the monitoring and evaluation of results;

(aa) Evaluate prevention programmes and interventions to build a knowledge base on what works to prevent violence against women.

Investigation, prosecution and sanctions

(bb) Adopt or review criminal policies, including investigatory and prosecutorial policies, to address potential risk factors that can lead to lethal violence against women;

(cc) Ensure that competent authorities investigate, prosecute and sanction each case of gender-related killing of women with due diligence and without delay;

(dd) Ensure that women have equal protection under the law and equal access to justice, including, where relevant, legal aid, language support services and witness protection;

(ee) Minimize the risk of secondary victimization during criminal investigations, prosecutions and trials, inter alia, through testimonial aids and assistance for victims and witnesses;

(ff) When relevant, consider adopting an integrated, multidisciplinary and gender-sensitive approach to the investigation of gender-related killing of women, and promote and institutionalize close collaboration and appropriate information-sharing among institutions involved in the investigation of gender-related killing of women, respecting the victim's right to privacy;

(gg) Establish, where appropriate, specialized and multidisciplinary units within the police, provide prosecution services with specific expertise and sufficient human and financial resources and encourage the courts to gain specific expertise;

(hh) Develop and disseminate specialized manuals and protocols and provide regular and institutionalized training to officials involved in the investigation, prosecution and sanction of gender-related killing of women so as to ensure that they understand the gendered nature of violence, respond to the specific needs and vulnerabilities of the victims and conduct accountable and effective investigations and prosecutions;

(ii) Develop appropriate mechanisms and enhance capacities for forensic investigations to identify human remains and missing persons, such as centres for missing persons and DNA databases, to support the prosecution of gender-related killing of women;

(jj) Monitor and sanction criminal justice officials (police, prosecutors, interpreters and court officials) who deny women access to justice, including, for example, those who discriminate against women, refuse to apply legislation protecting women's rights or do not exercise due diligence in their official duties in cases involving violence against women, in particular gender-related killing of women;

(kk) Taking into account the responsibility of States to define and sanction criminal offences, ensure that appropriate sanctions for perpetrators of gender-related killing of women are in place that are proportionate to the gravity of the offence;

(ll) Provide adequate human and financial resources for the investigation and prosecution of gender-related killing of women.

Victim support and assistance

(mm) Make respect for the cultural identity, ethnicity, social origin and language of victims of gender-related killing of women an integral part of the legal framework and institutional policies and practices;

(nn) Ensure that the needs of women in vulnerable conditions are addressed, including those of elderly women, rural women, indigenous women, foreign women, immigrant women in irregular situations, women victims of human trafficking, children of women victims of violence, women with disabilities and women in armed conflict;

(oo) Ensure that laws, policies and practices concerning child victims and witnesses are child-sensitive and respect the rights of the child;

(pp) Protect and support victims, drawing on the important role of civil society and ensuring effective cooperation between all relevant State agencies, including, where appropriate, the judiciary, prosecution services, law enforcement agencies and local and regional authorities;

(qq) Ensure that health and other social services are available to the victims, independent of their cooperation with the justice system;

(rr) Ensure that adequate and effective judicial mechanisms are available to all victims to allow them to access justice and to enable them to obtain redress for harm suffered;

(ss) Ensure that victims are provided with prompt and accurate information regarding their rights and available measures for protection, support, assistance and judicial mechanisms to obtain redress, in a way that takes into account the diversity of their language, ethnicity, race, social and economic origin, including by implementing public information campaigns;

(tt) Enable victims to participate in the criminal proceedings, taking into account their dignity, well-being and safety, while respecting the legal rights of defendants and to prepare victims for social reintegration;

(uu) Ensure the availability of adequate reparations, including restitution and compensation, in criminal, civil and administrative proceedings, that respond to the diverse needs of victims, in accordance with national law;

(vv) Provide adequate human and financial resources to guarantee the rights of victims of gender-related killing of women.